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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/626,078	07/26/2000	Do-hyoung Kim	Q59997	8066

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EXAMINER

LEE, CHRISTOPHER E

ART UNIT	PAPER NUMBER
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2112

DATE MAILED: 12/17/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/626,078

Applicant(s)

KIM ET AL.

Examiner

Christopher E. Lee

Art Unit

2189

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5 and 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Receipt Acknowledgement

1. Receipt is acknowledged of the After Final Amendment filed on 29th of October 2003. Claims 1 and 5 have been amended; no claim has been canceled; and no claim has been newly added since the Office Action was mailed on 29th of July 2003.
2. Receipt is acknowledged of the request filed on 1st of December 2003 for a Request for Continued Examination (RCE) under 37 CFR 1.114 based on the Application No. 09/626,078, which the request is acceptable and an RCE has been established. Currently, claims 1, 2, 5 and 9 are pending in this application.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art [hereinafter AAPA] in view of Isley, Jr. et al [US 5,930,295 A; hereinafter Isley] and IBM Technical Disclosure Bulletin ["System Logon", TDB-ACC-NO: NN73053847, Vol. 15, Issue 12, pages 3847-3848, Published May 1, 1973; hereinafter IBM_TDB].

Referring to claim 1, AAPA discloses a connection managing method (See Fig. 1) of a digital interface (i.e., IEEE-1394 BUS) for performing a connection management for a plurality of devices (i.e., managing first DTV 12, second DTV and DVCR 10 in Fig. 1) connected by a digital interface (i.e., IEEE-1394 BUS).

AAPA does not expressly teach said plurality of devices including operation modes having a normal mode for performing a usual operation prescribed in a digital interface standard and a private mode for performing an operation which selectively controls an external device.

Isley discloses a mobile terminal apparatus, wherein a plurality of devices (i.e., mobile terminals in Fig. 1) including operation modes (i.e., Net Radio service operating modes; See col. 3, lines 14-20) having a normal mode (i.e., NORMAL mode) for performing a usual operation prescribed in a digital interface standard (See col. 3, lines 21-23; i.e., wherein in fact that selecting a specific channel on which to tune and thereafter performs push-to-talk operations implies that said normal mode performs a usual operation (i.e., push-to-talk operation) prescribed in a digital interface standard, like a Net Radio Service) and a private mode (i.e., PRIVATE mode) for performing an operation (i.e., MT user selecting operation) which selectively controls (i.e., selectively creates a net) an external device (i.e., other user MT, which desires to set up a call with; See col. 3, lines 23-28).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said concept of operation mode, as disclosed by Isley, in said connection managing method, as disclosed by AAPA, for the advantage of providing a selective operation mode, such as private operation mode (i.e., private MT operation) for using said devices with privacy (i.e., for calling in a private net), or a regular operation (i.e., normal mode). Refer to Isley, col. 3, lines 14-46.

AAPA, as modified by Isley, does not expressly teach said method of performing a connection management for said plurality of devices connected by said digital interface.

IBM_TDB discloses a system logon, wherein a method comprising the steps of: (a) establishing a private mode (i.e., system access and connection; See the first paragraph in the disclosure) as an operation mode (i.e., system operation) in a first arbitrary device (i.e., establishing a system access and connection as an system operation in a central (host) system in response to a user's request input at a remote user terminal in Fig. 2) for a digital connection (i.e., connection with a central computer system via telephone common carrier line in Fig. 2) between said first arbitrary device (i.e., central (host) system in Fig. 2) and a second arbitrary device (i.e., terminal system for user); (b) said first device (i.e., central (host) system) identifying devices (i.e., identifying remote user terminals via QID table; See the third paragraph) having a right (i.e.,

user authorization) to access related registers (i.e., access system resources) to store in itself information relating to said identified devices (in fact, User Authorization Data Set having information about access right of system resources, which is well known to one of ordinary skill in the art of centralized computer system); (c) said first device (i.e., central (host) system) determining (i.e., decision block "Logon Process" in Fig. 1) whether there is a request (i.e., block "Find User" in Fig. 3 whether another user's request input is at a remote user terminal) for access to said related registers (i.e., access said central resources) by a third-party device (i.e., a remote terminal from another user); (d) determining (i.e., decision block "Found" in Fig. 3) whether said third-party device (i.e., said remote terminal from another user) is included in said previously stored devices (i.e., QID table and User Authorization Data Set in Fig. 3) if there is a request (i.e., Request Logon in Fig. 3); (e) said first device (i.e., central (host) system) accepting said request of said third-party device (i.e., decision block "Found", then Yes in Fig. 3) if said third-party device is determined to be included in said devices stored in then step (d) (i.e., said third-party terminal user is included in QID table; See the third and fourth paragraphs); and (f) said first device (i.e., central (host) system) returning an error code (i.e., decision block "Found", then No, and returning "Invalid Logon" in Fig. 3) to said third-party device (i.e., said third-party terminal user), which indicates that said first device cannot accept said request, if said third-party device is not determined to be included in said devices stored in the step (d), (i.e., in fact, any users cannot be logged on to said central (host) system so long as said QID table is not updated for said users; See the fifth and sixth paragraphs).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said logon procedure, as disclosed by IBM_TDB, in said connection managing method, as disclosed by AAPA, as modified by Isley, for the advantage of providing a security of prohibiting access to said devices without authorization, which is well known to one of the ordinary skill in the art of computer security at the time the invention was made.

Referring to claim 2, Isley teaches said establishment of said operation mode is made on said basis of a subunit (i.e., a mobile terminal), and in the step (a) a private mode is established in said subunit (i.e., a mobile terminal; MT user (viz., subunit) selectively establishes said private mode; See col. 23-28).

5. Claims 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Isley [US 5,930,295 A] and IBM_TDB as applied to claims 1 and 2 above, and further in view of Thorne, III et al. [US 5,805,165 A; hereinafter Thorne].

Referring to claim 5, AAPA, as modified by Isley and IBM_TDB, discloses all the limitations of the claim 5 except that does not teach (a-1) sending a request indicating that a bit stream output from said first device and displayed on said second device intends to be managed privately to said second device; and (a-2) said second device using a specific command to relay said request to said first device.

Thorne discloses a method of selecting a displayed control item, wherein (a-1) sending a request (i.e., user requests) indicating that a bit stream output (i.e., user requests a downloading of certain program modules) from a first device (i.e., headend system 12 of Fig. 1; See col. 10, lines 64-67) and displayed on a second device (i.e., output device 50 of Fig. 1; See col. 11, lines 10-22) intends to be managed privately (i.e., user privately selected program and retrieving the selected programming information) to said second device (i.e., set-top terminal 48 of Fig. 1); and (a-2) said second device (i.e., set-top terminal) using a specific command (i.e., a command requesting programming information) to relay (i.e., via distribution network 16 of Fig. 1) said request to said first device (i.e., headend system).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included said user requesting procedure, as disclosed by Thorne, in said connection managing method, as disclosed by AAPA, as modified by Isley and IBM_TDB, for the advantage of providing means for displaying of said bit stream output (i.e., downloaded program) according to said user request (i.e., a control item) on a display screen (See Thorne, col. 3, line 45).

Referring to claim 9, AAPA teaches said digital interface conforms to the IEEE 1394 standard (See IEEE-1394 BUS in Fig. 1).

Response to Arguments

6. Applicant's arguments with respect to claims 1, 2, 5 and 9 have been considered but are moot in view of the new ground(s) of rejection. Further, in response to the Applicants' argument that the Examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). In contrary to the Applicants' statement, the Examiner states the proper motivation to combine the prior arts of record with rationale (See the paragraph 4 of the instant Office Action for the claims 1 and 2 rejection under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of Isley and IBM_TDB). Thus, the Applicants' argument on this point is not persuasive.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Humpleman et al. [US 6,546,419 B1] disclose method and apparatus for user and device command and control in a network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher E. Lee whose telephone number is 703-305-5950. The examiner can normally be reached on 9:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark H. Rinehart can be reached on 703-305-4815. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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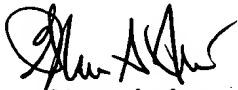
Art Unit: 2189

RCE Non-Final Office Action

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Christopher E. Lee
Examiner
Art Unit 2189

cel/ *cel*


Glenn A. Auve
Primary Patent Examiner
Technology Center 2100